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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------|-------------|----------------------|---------------------|------------------|
| 09/928,294 | 08/10/2001 | Robert M. Best | 493-27-3 | 8277 |
| 996 | 7590 | 07/05/2005 | EXAMINER | |
| GRAYBEAL, JACKSON, HALEY LLP | | | MOSSER, ROBERT E | |
| 155 - 108TH AVENUE NE | | | ART UNIT | |
| SUITE 350 | | | PAPER NUMBER | |
| BELLEVUE, WA 98004-5901 | | | 3714 | |

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Please find below and/or attached an Office communication concerning this application or proceeding.



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| EXAMINER |
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| ART UNIT | PAPER |
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20050627

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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on September 22nd 2004 is not fully responsive to the prior Office action because of the following omission(s) or matter(s). The amended claims are presented in the above dated amendment are not in keeping with 37 CFR 1.121 (c)(1-4) for failing to provide the amended claims in a full text sequential listing with indications of amended subject matter as set forth under the citation above.

In a brief review of the arguments presented September 22nd 2004, it is unclear where the applicant believes the point of novelty lies in their invention as they have presented arguments direct to a portable 3-D graphics engine, a portable 3-D graphics display unit, a battery powered display unit, or the manipulation of player view point in a gaming environment.

With respect to the presently applied prior art however, the applicant appears to challenge the functionality of the Gameboy to produce 3-D graphics with various suggestions. As such the applicant is encouraged to consider the following references NOT PRESENTLY OF RECORD including US PAT 5,415,549 and relevant discussions incorporating the Atari LYNX portable gaming system as well as NEC's 1990 release of the Turbo Express (<http://www.atari7800.com/turbo/systems.htm>) for their teachings regarding this issue.

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.


JESSICA HARRISON
PRIMARY EXAMINER